

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

DAVID I. GLOVER,

and

TIMOTHY B. PRIDEMORE,

Plaintiffs,

v.

CIVIL ACTION NO.: 2:17cv109

THE CITY OF NORFOLK, VIRGINIA

Defendant and Third-Party Plaintiff,

v.

**SAFE BOATS INTERNATIONAL, LLC, and
WILLARD MARINE, INC.,**

Third-Party Defendants.

**PLAINTIFFS' DESIGNATION OF DISCOVERY MATERIAL INTENDED
TO BE OFFERED INTO EVIDENCE AND LIST OF PROPOSED EXHIBITS**

COME NOW the Plaintiffs, DAVID I. GLOVER and TIMOTHY B. PRIDEMORE, by counsel, and in and for their designation of discovery material they intend to offer into evidence and list of proposed exhibits at trial identify the following:

I. Exhibits Plaintiffs Expect to Offer

Ex. No.	Title of Document	Page/sentence	Relevance	Admission basis
1.	Virginia Marine Police's Incident Report and supplements	NOR00184 -188	Official incident investigation	Relevant to liability issues
2.	Reports of Stephen Knox, P.E., NAMS-CMS, SAMS-AMS	Entire documents	Expert witness reports	Relevant to liability issues
3	Curriculum vitae of Steve Knox, P.E., NAMS-CMS, SAMS-AMS	Entire document	Expert witness qualifications	Relevant to liability issues

4.	Reports of Paul Kamen, P.E.	Entire document	Expert witness reports	Relevant to liability issues
5.	Curriculum vitae of Paul Kamen, P.E.	Entire document	Expert witness qualifications	Relevant to liability issues
6.	Photographs of <i>Marine 5</i> and the location of the crash, all of which have been previously produced by the parties and others in discovery	Individual photographs	Relevant to liability issues and cause of capsize	Relevant to liability issues
7.	Email communications between personnel of the City of Norfolk and Willard Marine regarding the solicitation for bids, contract, scope of work performed, and sea trial logistics for <i>Marine 5</i>	HR00001-3, 10-13 NOR00260-263	Relevant to work performed by the Plaintiffs and the basis for the sea trial which are relevant to the liability issues	Relevant to liability issues Party statements and admissions
8.	Willard Marine “Condition Report” for work performed on <i>Marine 5</i> .	NOR00144	Relevant to work performed by the Plaintiffs and the basis for the sea trial which are relevant to the liability issues	Relevant to liability issues Party statements and admissions
9.	Yamaha engines data download from twin 300 HP engines on <i>Marine 5</i>	Entire documents	Relevant to engine condition and RPM during sea trial and capsize	Relevant to liability issues
10.	Safe Boats International Technical Report – 27’ Defender 10 Wide Stability Assessment – 12/23/14	SB000158-219	Relevant to stability issues and condition of boat	Relevant to liability issues Party statements and admissions
11.	City of Norfolk “Invitation for Bids” for re-engining of <i>Marine 5</i> completed by Willard Marine and accepted by the City of Norfolk	NOR00078-101, 114-135	Relevant to scope of work being done on the boat	Relevant to liability issues Party statements and admissions
12.	City of Norfolk “Notice of Award” to Willard Marine for work on <i>Marine 5</i>	NOR00163	Relevant to scope of work being done on the boat	Relevant to liability issues Party statements and admissions

13.	City of Norfolk Specialized Position Description – Harbor Patrol Officer	NOR00106-107	Relevant to Hryniewicz’s ability to perform sea trial and to the City’s selection of Hryniewicz as the individual to perform the sea trial	Relevant to liability issues Party statements and admissions
14.	Willard Marine invoices and purchase orders to the City of Norfolk regarding <i>Marine 5</i>	NOR00136-143	Relevant to scope of work being done on the boat	Relevant to liability issues
15.	NASBLA course curriculum	NOR00151-156 NASBLA001-605	Relevant to Hryniewicz’s ability to perform sea trial and to the City’s selection of Hryniewicz as the individual to perform the sea trial	Relevant to liability issues
16.	City of Norfolk “Executive Summary regarding Boat Incident”	NOR00265-66	Relevant to the cause of the capsized	Relevant to liability issues Party statements and admissions
17.	City of Norfolk Homeland Security Division – 2013 Standard Operating Procedures Manual (same as item #11).	NOR00684-685 NOR00686-699	Relevant to the duties of the Harbor Patrol Unit	Relevant to liability issues Party statements and admissions
18.	City of Norfolk personnel email exchanges post-capsized as previously produced in discovery	NOR00199-202, 264, 267, 275, 465-466, 468, 472	Relevant to the cause of the capsized and liability issues	Relevant to liability issues Party statements and admissions
19.	Reports of Peder K. Melberg, M.A., C.R.C.	Entire documents	Expert witness reports and relevant to Glover’s lost wages and vocational losses	Relevant to Glover’s damages

20.	Curriculum vitae of Peder K. Melberg, M.A., C.R.C.	Entire documents	Expert witness qualifications	Relevant to Glover's damages
21.	Films of radiological and other imaging studies	Entire documents	Depict the nature and extent of the Plaintiffs' injuries	Relevant to the Plaintiffs' damages
22.	Photographs depicting the Plaintiffs' injuries	Entire documents	Depict the nature and extent of the Plaintiffs' injuries	Relevant to the Plaintiff's damages
23.	Individual medical bills as identified in discovery	Entire documents	Plaintiffs' incurred medical bills	Relevant to the Plaintiffs' damages
24.	Itemized summary/list of medical bills as identified in discovery (same as item #21).	Entire document	Plaintiffs' incurred medical bills	Relevant to the Plaintiffs' damages
25.	Work restriction notes from Bryan Fox, M.D., all of which have been previously produced in discovery	Entire documents	Glover's lost wages and vocational losses	Relevant to Glover's damages
26.	Curriculum vitae of Bryan Fox, M.D.	Entire document	Expert witness qualifications	Relevant to Glover's damages
27.	Records of Sara Miller, D.C. identified in her deposition (relevant to the damages and injuries in the case).	Entire documents	Depict nature and extent of Glover's injuries	Relevant to Glover's damages
28.	Curriculum vitae of Sara Miller, D.C.	Entire document	Expert witness qualifications	Relevant to Glover's damages
30.	Records of Ran V. Singh, M.D. identified in his deposition.	Entire document	Depict nature and extent of Pridemore's injuries	Relevant to Pridemore's damages
29.	Curriculum vitae of Ran V. Singh, M.D.	Entire document	Expert witness qualifications	Relevant to Pridemore's damages
31.	Records of Anthony J. DiStasio, II, M.D. identified in his deposition	Entire document	Depict nature and extent of Pridemore's injuries	Relevant to Pridemore's damages
32.	Curriculum vitae of Anthony J. DiStasio, II, M.D.	Entire document	Expert witness qualifications	Relevant to Pridemore's damages

II. Exhibits Plaintiffs May Offer if the Need Arises

1.	Plaintiff's boating licenses, certificates, certifications and the like which have been previously produced (relevant to the liability issues in the case and the Plaintiff's background).
2.	Helm pump and two 250 HP engines removed from <i>Marine 5</i> by Willard Marine and currently in its possession (relevant to the liability issues in the case).
3.	Safe Boats International "Norfolk Police Department 270 Full Cabin Survey" (relevant to the liability issues in the case and as party statements and admissions).
4.	City of Norfolk 2007 Purchase Order for <i>Marine 5</i> and related procurement documents produced by Defendant City of Norfolk (same as #3).
5.	<i>Marine 5</i> Statement of Origin (same as #3).
6.	Yamaha Statement of Origin for the 250 HP and 300 HP engines for <i>Marine 5</i> (relevant to liability issues in the case).
7.	Yamaha engine Operation Manual and Owner's Manual for 250 HP and 300 HP engines (same as #6).
8.	Furuno navigation system operator's manual (same as #6).
9.	Virginia Boating Laws and Regulations manual/handbook (relevant to Officer Hryniewicz's liability in the case and the City of Norfolk's selection of him as operator during the sea trial and to the liability issues in the case).
10.	Sea Star Installation Instructions and Owner's Manual (relevant to the liability issues in the case).
11.	Safe Boats Item Description for <i>Marine 5</i> (relevant to the liability issues in the case and as party statements and admissions).
12.	Safe Boats sea trial records for <i>Marine 5</i> (same as #11).
13.	Safe Boats International, LLC, Limited Warranty (same as #11).
14.	Safe Boats engineer drawings for 27' full cabin model to include those for <i>Marine 5</i> (same as #11).
15.	Safe Boats International, LLC, Boat Operator's Handbook (same as #11).
16.	Safe Boats internal emails following <i>Marine 5</i> capsized (same as #11).
17.	Memorandum of Agreement between U.S. Coast Guard and the City of Norfolk and amendments thereto (relevant to the liability issues in the case and as party statements and admissions).
18.	Dare Marina "Invoice" dated March 25, 2014 (relevant to the liability issues in the case).
19.	Richard Hryniewicz certifications/schools attended list and individual certificates (relevant to the liability issues in the case and as party statements and admissions).
20.	<i>Marine 5</i> Boarding Sheets (relevant to the liability issues in the case and as party statements and admissions).
21.	Police Marine Unit 5 – History & Information – dated April 2, 2014 (relevant to liability issues in the case and as party statements and admissions).
22.	Crofton Construction Services, Inc., invoice for recovering <i>Marine 5</i> (relevant to liability issues in the case).
23.	City of Norfolk 2011 Commonwealth of Virginia Grant Application (relevant to liability issues in the case and as party statements and admissions).
24.	Recorded interview of Edwin Pagan from Sedgwick CMS dated April 2, 2014 (relevant to liability issues in the case and as party statements and admissions).

25.	Reports of Robert K. Taylor, P.E. (relevant to liability issues in the case; expert witness reports).
26.	Defendant Norfolk's discovery responses, including but not limited to its Answers to Interrogatories for each party in the case (relevant to liability and damages issues in the case and as party statements and admissions).
27.	Defendant Hryniewicz's discovery responses, including but not limited to its Answers to Interrogatories for each party in the case (same as item #26).
28.	Any and all documents previously produced in discovery in the state cases by both Plaintiffs, the Defendants, and each Third-Party Defendant (same as item #26).
29.	Any and all documents previously produced in the state cases by other individuals/entities through subpoena (same as item #26).
30.	Any and all previously produced Bates numbered documents produced by the parties and other individuals/entities in the state cases (same as item #26).
31.	Any and all exhibits, papers, records, or writings attached to, filed with, or referenced in Plaintiffs' prior filings in this case (same as item #26).
32.	The Plaintiff reserves the right to use any exhibits listed by any other party (same as item #26).
33.	Applicable Federal, Virginia or maritime statutes, ordinances, etc. (same as item #26).
34.	The Plaintiff reserves the right to amend and/or supplement this Exhibit List at any time prior to trial.

DAVID I. GLOVER

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CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of May, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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